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| 09/929,890 | 08/15/2001 | Jong-Cheol Bae | 678-671 (P9671) | 9315 |

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EXAMINER

HASHEM, LISA

ART UNIT PAPER NUMBER

2614

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,890

Applicant(s)

BAE ET AL.

Examiner

Lisa Hashem

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 October 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. Applicant's request, made in the After Final Amendment filed on 10-30-2006, to withdraw the finality of the Final Office Action filed on 7-27-06 on the ground(s) that prior art do not teach the claimed invention is persuasive/convincing. Accordingly, the finality of the Office Action is hereby vacated. A new Office Action is set forth below.

Information Disclosure Statement

2. Applicant is requested to submit complete documents and official translations of the Japanese documents submitted in the IDS on 5-1-06.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by EP 0814442 by Kuramatsu (cited as prior art by Applicant).

Regarding claim 1, Kuramatsu discloses a method of alerting a user of an occasion date (e.g. favorable time, particular time) when a call (e.g. radio call signal) is received in a phone (Fig. 2) having an idle mode screen (e.g. reception wait mode) displaying function (col. 7, line 23 – col. 8, line 42), comprising:

accepting a call (e.g. radio call signal) on a phone, the call intended for a user (col. 7, lines 23-27);

determining whether today is a registered occasion date (col. 8, lines 39-42);

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displaying a first predetermined image (Figs. 7A, 7B, 8A, 8B) for an idle mode screen on the phone for viewing by the user, if today is not the registered occasion date; and changing the first predetermined image to a second predetermined image (e.g. Fig. 7C, 8C) if today is the registered occasion date to remind the user of the registered occasion date (col. 8, lines 8-42; col. 10, lines 7-29).

Regarding claim 2, the method of claim 1 mentioned above, wherein Kuramatsu further discloses:

designating a date (e.g. time or period; duration) selected by the user as the registered occasion date; and

registering an image selected by the user among idle mode screen images stored in the phone with respect to the registered occasion date (col. 8, lines 8-42; col. 9, lines 12-38).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 3 and 4 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S.

Patent No. 6,411,827 by Minata.

Regarding claim 3, Minata discloses a method of alerting a user of an occasion date (e.g. July 21, 1997, 8 p.m.) in a phone having an incoming call ring sound alteration function, comprising:

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entering an occasion date registration mode on a phone;
displaying an occasion date registration screen on the phone,
the occasion date registration screen including a menu for the user to select an occasion date and
incoming call ring sound (col. 4, lines 13-18; col. 5, line 56 – col. 6, line 16; Fig. 8A);
registering the occasion date (col. 5, lines 6-20 and lines 49-55; col. 7, lines 29-60);
accepting a call on a phone, the call intended for a user (col. 5, lines 25-34);
determining whether today is a registered occasion date (e.g. July 21, 1997, 8 p.m.) (Fig. 5, S47);
setting a first predetermined ring sound (e.g. Musical Note 1) as an incoming call ring sound on
the phone if today is not the registered occasion date (e.g. July 21, 1997: 8 a.m. to 10 a.m.); and
changing the first predetermined ring to a second predetermined ring sound (e.g. Musical Note 2)
is played, if today is the registered occasion date to remind the user of the registered occasion
date (col. 7, line 61 – col. 8, line 14) (Fig. 6: See data for reception priority level 'C').

Regarding claim 4, the method of claim 3 mentioned above, wherein Minata further
discloses:

designating a date selected by the user as the registered occasion date; and
registering a ring sound selected by the user among ring sounds stored in the phone with respect
to the registered occasion date (col. 4, lines 13-18; col. 5, line 56 – col. 6, line 16; Fig. 8A).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP Pub No. 08/154114 by Bunshi in view of JP Pub. No. 62128648 by Kazuyuki (prior art cited by the applicant).

Regarding claim 3, Bunshi discloses a method of alerting a user of an occasion date (e.g. seasons and time) in a phone having an incoming call ring sound alteration function, comprising: registering the occasion date; accepting a call on a phone, the call intended for a user; determining whether today is a registered occasion date; setting a first predetermined ring sound as an incoming call ring sound on the phone if today is not the registered occasion date; and changing the first predetermined ring to a second predetermined ring sound is played, if today is the registered occasion date to remind the user of the registered occasion date (see Abstract).

Bunshi discloses changing ring sounds depending on a registered occasion date. However, Bunshi does not disclose how an occasion date is registered.

Kazuyuki discloses a method of alerting a user of an occasion date (e.g. collating date) in a phone having an incoming call ring sound alteration function, comprising: entering an occasion date registration mode on a phone; displaying an occasion date registration screen on the phone, the occasion date registration screen including a menu for the user to select an occasion date and incoming call ring sound; registering the occasion date (e.g. supplying the schedule information); accepting a call on a phone, the call intended for a user;

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determining whether today is a registered occasion date;

and

setting a second predetermined ring sound is played, if today is the registered occasion date to remind the user of the registered occasion date (e.g. user supplies incoming tone quality/volume setting information depending on a schedule) (see Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bunshi to disclose how an occasion date is registered as taught by Kazuyuki. One of ordinary skill in the art would have been lead to make such a modification to set an incoming call ring sound among a plurality of ring sounds via a menu to notify a user of an occasion date in order alert a user of an occasion date at a designated time on the occasion day automatically via a predetermined incoming call ring sound.

Regarding claim 4, the method of claim 3 mentioned above, wherein Kazuyuki further discloses:

designating a date selected by the user as the registered occasion date; and

registering a ring sound selected by the user among ring sounds stored in the phone with respect to the registered occasion date (see Abstract).

9. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minata in view of Kuramatsu.

Regarding claim 5, Minata discloses a method of alerting a user of an occasion date (e.g. July 21, 1997, 8 p.m.) when a call is received in a phone having an incoming call ring sound alteration function, comprising:

accepting a call on a phone, the call intended for a user (col. 5, lines 25-34);

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checking whether today is a registered occasion date (e.g. July 21, 1997, 8 p.m.) (Fig. 5, S47); playing a first predetermined ring sound (e.g. Musical Note 1) as an incoming call ring sound on the phone if today is not the registered occasion date (e.g. July 21, 1997: 8 a.m. to 10 a.m.); and displaying a second predetermined image (e.g. incoming message; col. 5, lines 45-47) and playing a second predetermined ring sound (e.g. Musical Note 2) as the incoming call ring sound, if today is the registered occasion date to remind the user of the registered occasion date (col. 7, line 61 – col. 8, line 14) (Fig. 6: See data for reception priority level 'C').

Minata discloses an incoming call ring sound alteration function and a second predetermined image being displayed if today is the registered occasion date. However, Minata does not disclose an idle mode screen.

Kuramatsu discloses a method of alerting a user of an occasion date (e.g. favorable time, particular time) when a call (e.g. communication section is activated) is received in a phone (Fig. 2) having an idle mode screen (e.g. reception wait mode) displaying function (col. 7, line 23 – col. 8, line 42), comprising:

an incoming call and accepting a call (e.g. radio call signal) on a phone, the call intended for a user (col. 7, lines 23-27);

checking whether today is a registered occasion date (col. 8, lines 39-42);

displaying a first predetermined image (Figs. 7A, 7B, 8A, 8B) for an idle mode screen on the phone for viewing by the user, if today is not the registered occasion date; and

displaying a second predetermined image (e.g. Fig. 7C, 8C) if today is the registered occasion date to remind the user of the registered occasion date (col. 8, lines 8-42; col. 10, lines 7-29).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Minata to include an idle mode screen displaying function as taught by Kuramatsu. One of ordinary skill in the art would have been lead to make such a modification to display specific images on a screen of a phone during idle mode, wherein a first predetermined image (e.g. display in reception wait mode) is always displayed in the idle mode. A user is alerted of the occasion date visually and audibly when a call is received in the phone.

Regarding claim 6, the method of claim 5 mentioned above, wherein Minata in view of Kuramatsu further discloses:

designating a date selected by the user as the registered occasion date; and
registering an image and a ring sound selected by the user among idle mode screen images and ring sounds stored in the phone with respect to the registered occasion date (Minata: col. 4, lines 13-18; col. 5, line 56 – col. 6, line 16; Fig. 8A; Kuramatsu: col. 8, lines 8-42; col. 9, lines 12-38).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

11. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

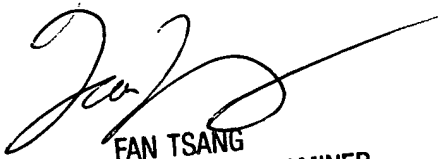
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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh
December 6, 2006


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